

ASSEMBLY BILL NO. 158—ASSEMBLYMEN DINI, PERKINS, EVANS, ANDERSON,
THOMAS, PARKS, BACHE, SEGERBLOM, NEIGHBORS,
DE BRAGA, MANENDO, CARPENTER, KOIVISTO, WILLIAMS, CHOWNING,
GIUNCHIGLIANI, GIBBONS, LESLIE, NOLAN AND BUCKLEY

FEBRUARY 8, 1999

Referred to Committee on Judiciary

SUMMARY—Makes various changes in statutory procedures for protection and placement of children. (BDR 11-475)

FISCAL NOTE: Effect on Local Government: No.
Effect on the State or on Industrial Insurance: Yes.

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EXPLANATION – Matter in ***bolded italics*** is new; matter between brackets ~~[omitted material]~~ is material to be omitted.

AN ACT relating to children; requiring the notification of certain persons who apply to receive the placement of a child regarding the status of their application; creating a board to expedite and limiting the periods for certain procedures involved in proceedings for the placement of children; making various changes regarding the appointment and duties of a guardian ad litem for certain children in protective custody; authorizing the involvement of various persons interested in certain proceedings for the placement of children; providing a preference for the placement of siblings together; and providing other matters properly relating thereto.

THE PEOPLE OF THE STATE OF NEVADA, REPRESENTED IN SENATE
AND ASSEMBLY, DO ENACT AS FOLLOWS:

- 1 **Section 1.** Chapter 127 of NRS is hereby amended by adding thereto
- 2 a new section to read as follows:
- 3 *A child-placing agency shall, to the extent practicable, give preference*
- 4 *to the placement of a child for adoption or permanent free care together*
- 5 *with his siblings.*
- 6 **Sec. 2.** NRS 127.220 is hereby amended to read as follows:
- 7 127.220 As used in NRS ~~{127.230}~~ **127.220** to 127.310, inclusive, *and*
- 8 *section 1 of this act*, unless the context otherwise requires:

1 1. "Arrange the placement of a child" means to make preparations for
2 or bring about any agreement or understanding concerning the adoption of
3 a child.

4 2. "Child-placing agency" means the division or a nonprofit
5 corporation organized pursuant to chapter 82 of NRS, and licensed by the
6 division to place children for adoption or permanent free care.

7 3. "Person" includes a hospital.

8 4. "Recommend the placement of a child" means to suggest to a
9 licensed child-placing agency that a prospective adoptive parent be
10 allowed to adopt a specific child, born or in utero.

11 **Sec. 3.** Chapter 128 of NRS is hereby amended by adding thereto a
12 new section to read as follows:

13 *Except as otherwise required by specific statute, the court shall use its*
14 *best efforts to ensure that proceedings conducted pursuant to this chapter*
15 *are completed within 6 months after the petition is filed.*

16 **Sec. 4.** NRS 128.100 is hereby amended to read as follows:

17 128.100 1. In any proceeding for terminating parental rights, or any
18 rehearing or appeal thereon, the court may appoint an attorney to represent
19 the child as his counsel and, *if the child does not have a guardian ad*
20 *litem appointed pursuant to NRS 432B.500, as his* guardian ad litem.

21 2. If the parent or parents of the child desire to be represented by
22 counsel, but are indigent, the court may appoint an attorney for them.

23 3. Each attorney appointed under the provisions of this section is
24 entitled to the same compensation and expenses from the county as
25 provided in NRS 7.125 and 7.135 for attorneys appointed to represent
26 persons charged with crimes.

27 **Sec. 5.** NRS 128.110 is hereby amended to read as follows:

28 128.110 1. Whenever the procedure described in this chapter has
29 been followed, and upon finding grounds for *the* termination of parental
30 rights pursuant to NRS 128.105 at a hearing upon the petition, the court
31 shall make a written order, signed by the judge presiding in the court,
32 judicially depriving the parent or parents of the custody and control of, and
33 terminating the parental rights of the parent or parents with respect to the
34 child, and declaring the child to be free from such custody or control, and
35 placing *the* custody and control *of the child* in some person or agency
36 qualified by the laws of this state to provide services and care to children,
37 or to receive any children for placement.

38 2. If the child is placed in the custody and control of a person or
39 agency qualified by the laws of this state to receive children for placement,
40 the person or agency, ~~{may,}~~ in seeking to place the child ~~{,}~~:

41 *(a) May* give preference to *the placement of the child with* any person
42 related within the third degree of consanguinity to the child whom the

1 person or agency finds suitable and able to provide proper care and
2 guidance for the child, regardless of whether the relative resides within this
3 state.

4 *(b) Shall, if practicable, give preference to the placement of the child*
5 *together with his siblings.*

6 *Any search for a relative with whom to place a child pursuant to this*
7 *subsection must be completed within 1 year after the initial placement of*
8 *the child outside of his home.*

9 **Sec. 6.** Chapter 432 of NRS is hereby amended by adding thereto a
10 new section to read as follows:

11 *As soon as practicable after the division receives an application by a*
12 *person to receive the placement of a child, the division shall notify the*
13 *person in writing as to whether the person will be considered for*
14 *approval as an adoptive parent or as a provider of foster care.*

15 **Sec. 7.** NRS 432.032 is hereby amended to read as follows:

16 432.032 The division shall adopt regulations for the administration of
17 NRS 432.010 to 432.085, inclusive, *and section 6 of this act*, which are
18 binding upon all recipients and local units.

19 **Sec. 8.** Chapter 432B of NRS is hereby amended by adding thereto
20 the provisions set forth as sections 9, 10 and 11 of this act.

21 **Sec. 9. 1.** *The board to expedite proceedings for the placement of*
22 *children, consisting of five members appointed by the governor, is hereby*
23 *created within the division of child and family services. The governor*
24 *shall appoint to the board:*

25 *(a) One member who is representative of foster parents;*

26 *(b) One member who is representative of special advocates who*
27 *comply with the requirements of section 11 of this act;*

28 *(c) One member who is representative of attorneys in private practice*
29 *who are regularly involved in proceedings conducted pursuant to NRS*
30 *432B.410 to 432B.600, inclusive, and sections 10 and 11 of this act;*

31 *(d) One member who is representative of attorneys in public practice*
32 *who are regularly involved in proceedings conducted pursuant to NRS*
33 *432B.410 to 432B.600, inclusive, and sections 10 and 11 of this act; and*

34 *(e) One member who is employed by the division of child and family*
35 *services.*

36 **2.** *After the initial terms, the members of the board serve terms of 4*
37 *years. Any member of the board may be reappointed. If a vacancy occurs*
38 *during the term of a member, the governor shall appoint a person*
39 *similarly qualified to replace that member for the remainder of the*
40 *unexpired term. The governor may remove a member from the board if*
41 *the member neglects his duty or commits malfeasance in office.*

42 **3.** *Members of the board serve without compensation, except that*
43 *necessary travel and per diem expenses may be reimbursed, not to exceed*

1 *the amounts provided for state officers and employees generally, to the*
2 *extent that money is made available for that purpose.*

3 *4. The division of child and family services shall provide the board*
4 *with administrative support.*

5 *5. The board shall:*

6 *(a) At its first meeting and annually thereafter, elect a chairman from*
7 *among its members.*

8 *(b) Meet at least four times annually and may meet at other times*
9 *upon the call of the chairman.*

10 *(c) Review each case referred to it pursuant to section 10 of this act,*
11 *and provide the referring court and the office of the attorney general*
12 *with any recommendations to expedite the completion of the case.*

13 **Sec. 10.** *If the court has not approved the permanent placement of a*
14 *child within 18 months after the initial removal of the child from his*
15 *home, it shall refer the case to the board to expedite proceedings for the*
16 *placement of children created pursuant to section 9 of this act to obtain*
17 *recommendations from the board to expedite the completion of the case.*

18 **Sec. 11.** *To qualify for appointment as a guardian ad litem pursuant*
19 *to NRS 432B.500, a special advocate must be a volunteer from the*
20 *community who completes an initial 12 hours of specialized training and,*
21 *annually thereafter, completes 6 hours of specialized training. The*
22 *training must be approved by the court and include information*
23 *regarding:*

24 *1. The dynamics of the abuse and neglect of children;*

25 *2. Factors to consider in determining the best interests of a child,*
26 *including planning for the permanent placement of the child;*

27 *3. The interrelationships between the family system, legal process*
28 *and system of child welfare;*

29 *4. Skills in mediation and negotiation;*

30 *5. Federal, state and local laws affecting children;*

31 *6. Cultural, ethnic and gender-specific issues;*

32 *7. Domestic violence;*

33 *8. Resources and services available in the community for children in*
34 *need of protection;*

35 *9. Child development;*

36 *10. Standards for guardians ad litem; and*

37 *11. Such other topics as the court deems appropriate.*

38 **Sec. 12.** *NRS 432B.290 is hereby amended to read as follows:*

39 *432B.290 1. Except as otherwise provided in subsection 2 or 5, data*
40 *or information concerning reports and investigations thereof made*
41 *pursuant to this chapter may be made available only to:*

42 *(a) A physician who has before him a child who he reasonably believes*
43 *may have been abused or neglected;*

- 1 (b) A person authorized to place a child in protective custody, if he has
- 2 before him a child who he reasonably believes may have been abused or
- 3 neglected and he requires the information to determine whether to place
- 4 the child in protective custody;
- 5 (c) An agency, including, without limitation, an agency in another
- 6 jurisdiction, responsible for or authorized to undertake the care, treatment
- 7 or supervision of:
- 8 (1) The child; or
- 9 (2) The person responsible for the welfare of the child;
- 10 (d) A district attorney or other law enforcement officer who requires the
- 11 information in connection with an investigation or prosecution of *the* abuse
- 12 or neglect of a child;
- 13 (e) A court, for in camera inspection only, unless the court determines
- 14 that public disclosure of the information is necessary for the determination
- 15 of an issue before it;
- 16 (f) A person engaged in bona fide research or an audit, but information
- 17 identifying the subjects of a report must not be made available to him;
- 18 (g) The *attorney and the* guardian ad litem of the child;
- 19 (h) A grand jury upon its determination that access to these records is
- 20 necessary in the conduct of its official business;
- 21 (i) An agency which provides protective services or which is authorized
- 22 to receive, investigate and evaluate reports of *the* abuse or neglect of a
- 23 child;
- 24 (j) A person ~~{who}~~ or an organization that has entered into a written
- 25 agreement with an agency which provides protective services to provide
- 26 assessments or services and that has been trained to make such assessments
- 27 or provide such services;
- 28 (k) A team organized *pursuant to NRS 432B.350* for the protection of a
- 29 child ; ~~{pursuant to NRS 432B.350;}~~
- 30 (l) A team organized pursuant to NRS 432B.405 to review the death of
- 31 a child;
- 32 (m) A parent or legal guardian of the child, if the identity of the person
- 33 responsible for reporting the alleged abuse or neglect of the child to a
- 34 public agency is kept confidential;
- 35 (n) The person named in ~~{the}~~ *a* report as allegedly being abused or
- 36 neglected, if he is not a minor or otherwise legally incompetent;
- 37 (o) An agency that is authorized by law to license foster homes or
- 38 facilities for children or to investigate persons applying for approval to
- 39 adopt a child, if the agency has before it an application for that license or is
- 40 investigating an applicant to adopt a child;
- 41 (p) Upon written consent of the parent, any officer of this state or a city
- 42 or county thereof or legislator authorized by the agency or department

1 having jurisdiction or by the legislature, acting within its jurisdiction, to
2 investigate the activities or programs of an agency that provides protective
3 services if:

4 (1) The identity of the person making the report is kept confidential;
5 and

6 (2) The officer, legislator or a member of his family is not the person
7 alleged to have committed the abuse or neglect;

8 (q) The division of parole and probation of the department of motor
9 vehicles and public safety for use pursuant to NRS 176.135 in making a
10 presentence investigation and report to the district court; ~~for~~

11 (r) Any person who is required pursuant to NRS 432B.220 to make a
12 report to an agency which provides protective services or to a law
13 enforcement agency ~~for~~; or

14 *(s) The board to expedite proceedings for the placement of children*
15 *created pursuant to section 9 of this act.*

16 2. Except as otherwise provided in subsection 3, data or information
17 concerning reports and investigations thereof made pursuant to this chapter
18 may be made available to any member of the general public if the child
19 who is the subject of the report dies or is critically injured as a result of
20 alleged abuse or neglect, except that the data or information which may be
21 disclosed is limited to:

22 (a) The fact that a report of abuse or neglect has been made and, if
23 appropriate, a factual description of the contents of the report;

24 (b) Whether an investigation has been initiated pursuant to NRS
25 432B.260, and the result of a completed investigation; and

26 (c) Such other information *as is* authorized for disclosure by a court
27 pursuant to subsection 4.

28 3. An agency which provides protective services shall not disclose data
29 or information pursuant to subsection 2 if the agency determines that the
30 disclosure is not in the best interests of the child or if disclosure of the
31 information would adversely affect any pending investigation concerning
32 ~~the~~ a report.

33 4. Upon petition, a court of competent jurisdiction may authorize the
34 disclosure of additional information to the public pursuant to subsection 2
35 if good cause is shown by the petitioner for the disclosure of the additional
36 information.

37 5. An agency investigating a report of the abuse or neglect of a child
38 shall, upon request, provide to a person named in the report as allegedly
39 causing the abuse or neglect of the child:

40 (a) A copy of:

41 (1) Any statement made in writing to an investigator for the agency
42 by the person named in the report as allegedly causing the abuse or neglect
43 of the child;

or

1 (2) Any recording made by the agency of any statement made orally
2 to an investigator for the agency by the person named in the report as
3 allegedly causing the abuse or neglect of the child; or

4 (b) A written summary of the allegations made against the person who
5 is named in the report as allegedly causing the abuse or neglect of the
6 child. The summary must not identify the person responsible for reporting
7 the alleged abuse or neglect.

8 6. Any person, except for:

9 (a) The subject of a report;

10 (b) A district attorney or other law enforcement officer initiating legal
11 proceedings; or

12 (c) An employee of the division of parole and probation of the
13 department of motor vehicles and public safety making a presentence
14 investigation and report to the district court pursuant to NRS 176.135,
15 who is given access, pursuant to subsection 1 or 2, to information
16 identifying the subjects of a report who makes this information public is
17 guilty of a misdemeanor.

18 7. The division of child and family services shall adopt regulations to
19 carry out the provisions of this section.

20 **Sec. 13.** NRS 432B.290 is hereby amended to read as follows:

21 432B.290 1. Except as otherwise provided in subsection 2, data or
22 information concerning reports and investigations thereof made pursuant to
23 this chapter may be made available only to:

24 (a) A physician who has before him a child who he reasonably believes
25 may have been abused or neglected;

26 (b) A person authorized to place a child in protective custody, if he has
27 before him a child who he reasonably believes may have been abused or
28 neglected and he requires the information to determine whether to place
29 the child in protective custody;

30 (c) An agency, including, without limitation, an agency in another
31 jurisdiction, responsible for or authorized to undertake the care, treatment
32 or supervision of:

33 (1) The child; or

34 (2) The person responsible for the welfare of the child;

35 (d) A district attorney or other law enforcement officer who requires the
36 information in connection with an investigation or prosecution of *the* abuse
37 or neglect of a child;

38 (e) A court, for in camera inspection only, unless the court determines
39 that public disclosure of the information is necessary for the determination
40 of an issue before it;

41 (f) A person engaged in bona fide research or an audit, but information
42 identifying the subjects of a report must not be made available to him;

- 1 (g) The **attorney and the** guardian ad litem of the child;
- 2 (h) A grand jury upon its determination that access to these records is
3 necessary in the conduct of its official business;
- 4 (i) An agency which provides protective services or which is authorized
5 to receive, investigate and evaluate reports of **the** abuse or neglect of a
6 child;
- 7 (j) A team organized **pursuant to NRS 432B.350** for the protection of a
8 child ; ~~pursuant to NRS 432B.350;~~
- 9 (k) A parent or legal guardian of the child, if the identity of the person
10 responsible for reporting the alleged abuse or neglect of the child to a
11 public agency is kept confidential;
- 12 (l) The person named in ~~the~~ a report as allegedly being abused or
13 neglected, if he is not a minor or otherwise legally incompetent;
- 14 (m) An agency that is authorized by law to license foster homes or
15 facilities for children or to investigate persons applying for approval to
16 adopt a child, if the agency has before it an application for that license or is
17 investigating an applicant to adopt a child;
- 18 (n) Upon written consent of the parent, any officer of this state or a city
19 or county thereof or legislator authorized, by the agency or department
20 having jurisdiction or by the legislature, acting within its jurisdiction, to
21 investigate the activities or programs of an agency that provides protective
22 services if:
- 23 (1) The identity of the person making the report is kept confidential;
24 and
- 25 (2) The officer, legislator or a member of his family is not the person
26 alleged to have committed the abuse or neglect; ~~or~~
- 27 (o) The division of parole and probation of the department of motor
28 vehicles and public safety for use pursuant to NRS 176.135 in making a
29 presentence investigation and report to the district court ~~is~~ ; **or**
- 30 **(p) The board to expedite proceedings for the placement of children**
31 **created pursuant to section 9 of this act.**
- 32 2. An agency investigating a report of the abuse or neglect of a child
33 shall, upon request, provide to a person named in the report as allegedly
34 causing the abuse or neglect of the child:
- 35 (a) A copy of:
- 36 (1) Any statement made in writing to an investigator for the agency
37 by the person named in the report as allegedly causing the abuse or neglect
38 of the child; or
- 39 (2) Any recording made by the agency of any statement made orally
40 to an investigator for the agency by the person named in the report as
41 allegedly causing the abuse or neglect of the child; or

(b) A written summary of the allegations made against the person who is named in the report as allegedly causing the abuse or neglect of the child. The summary must not identify the person responsible for reporting the alleged abuse or neglect.

3. Any person, except for:

(a) The subject of a report;

(b) A district attorney or other law enforcement officer initiating legal proceedings; or

(c) An employee of the division of parole and probation of the department of motor vehicles and public safety making a presentence investigation and report to the district court pursuant to NRS 176.135, who is given access, pursuant to subsection 1, to information identifying the subjects of a report who makes this information public is guilty of a misdemeanor.

4. The division of child and family services shall adopt regulations to carry out the provisions of this section.

Sec. 14. NRS 432B.420 is hereby amended to read as follows:

432B.420 1. A parent or other person responsible for the ~~{child's}~~ welfare *of a child* who is alleged to have abused or neglected ~~{a}~~ *the* child may be represented by an attorney at all stages of any proceedings under NRS 432B.410 to 432B.590, inclusive ~~{H}~~, *and sections 10 and 11 of this act*. Except as otherwise provided in subsection 2, if the person is indigent, the court may appoint an attorney to represent him. The court may, if it finds it appropriate, appoint an attorney to represent the child.

2. If the court determines that the parent of an Indian child for whom protective custody is sought is indigent, the court:

(a) Shall appoint an attorney to represent the parent;

(b) May appoint an attorney to represent the Indian child; and

(c) May apply to the Secretary of the Interior for the payment of the fees and expenses of such an attorney, as provided in the Indian Child Welfare Act.

3. Each attorney, other than a public defender, if appointed under the provisions of subsection 1, is entitled to the same compensation and payment for expenses from the county as provided in NRS 7.125 and 7.135 for an attorney appointed to represent a person charged with a crime.

~~{An}~~ *Except as otherwise provided in NRS 432B.500, an* attorney appointed to represent a child may also be appointed as guardian ad litem for the child ~~. {pursuant to NRS 432B.500, unless the attorney requests the appointment of a separate guardian ad litem.}~~ He may not receive any compensation for his services as a guardian ad litem.

Sec. 15. NRS 432B.457 is hereby amended to read as follows:

432B.457 **1.** If the court or a special master appointed pursuant to NRS 432B.455 finds that a person ~~[, including, but not limited to, a parent or other relative, teacher, friend or neighbor of a child:~~

~~—1.— Has a personal interest in the well-being of the child; or~~

~~—2.— Possesses information that is relevant to the determination of who should take custody of the]~~ **has a special interest in a** child, the court or the special master ~~[may]~~ :

(a) Shall, except for good cause, ensure that the person is involved in and notified of any plan for the temporary or permanent placement of the child and is allowed to offer recommendations regarding the plan; and

(b) May allow the person to testify at any hearing held pursuant to this chapter to determine ~~[the person most qualified and suitable to take custody]~~ **any temporary or permanent placement** of the child.

2. For the purposes of this section, a person “has a special interest in a child” if:

(a) The person is:

(1) A parent or other relative of the child;

(2) A foster parent or other provider of substitute care for the child;

(3) A provider of care for the medical or mental health of the child;

(4) A teacher or other school official who works directly with the child;

(5) Any other person who works directly with the child on a regular basis; or

(6) A friend or neighbor of the child; and

(b) The person:

(1) Has a personal interest in the well-being of the child; or

(2) Possesses information that is relevant to the determination of the placement of the child.

Sec. 16. NRS 432B.500 is hereby amended to read as follows:

432B.500 **1.** After a petition is filed that a child is in need of protection pursuant to NRS 432B.490, the court shall appoint ~~[a representative of an agency which provides protective services, a juvenile probation officer, an officer of the court or a volunteer as]~~ a guardian ad litem ~~[to represent and protect the best interests of the child. A]~~ **for the child. The person so appointed:**

(a) Must be a special advocate who meets the requirements of section 11 of this act or, if such a person is not available, a representative of an agency which provides protective services, a juvenile probation officer, an officer of the court or another volunteer.

(b) Must not be a parent or other person responsible for the child’s welfare . ~~[may not be so appointed.]~~

2. No compensation may be allowed a person serving as **a** guardian ad
litem ~~the~~ **pursuant to this section.**

3. ***A guardian ad litem appointed pursuant to this section shall:***

(a) ***Represent and protect the best interests of the child until excused
by the court;***

(b) ***Thoroughly research and ascertain the relevant facts of each case
for which he is appointed, and ensure that the court receives an
independent, objective account of those facts;***

(c) ***Meet with the child wherever the child is placed as often as is
necessary to determine that the child is safe and to ascertain the best
interests of the child;***

(d) ***Explain to the child the role of the guardian ad litem and, when
appropriate, the nature and purpose of each proceeding in his case;***

(e) ***Participate in the development and negotiation of any plans for
and orders regarding the child, and monitor the implementation of those
plans and orders to determine whether services are being provided in an
appropriate and timely manner;***

(f) ***Appear at all proceedings regarding the child;***

(g) ***Inform the court of the desires of the child, but exercise his
independent judgment regarding the best interests of the child;***

(h) ***Present recommendations to the court and provide reasons in
support of those recommendations;***

(i) ***Request the court to enter orders that are clear, specific and, when
appropriate, include periods for compliance;***

(j) ***Review the progress of each case for which he is appointed, and
advocate for the expedient completion of the case; and***

(k) ***Perform such other duties as the court orders.***

Sec. 17. NRS 432B.550 is hereby amended to read as follows:

432B.550 1. If the court finds that ~~the~~ **a** child is in need of
protection, it shall determine whether reasonable efforts were made by the
agency which provides protective services to prevent or eliminate the need
for his removal from his home and to facilitate his return to his home. The
court may, by its order, after receipt and review of the report from the
agency which provides protective services:

(a) Permit the child to remain in the custody of his parents or guardian
with or without supervision by the court or a person or agency designated
by the court, upon such conditions as the court may prescribe;

(b) Place him in the temporary or permanent custody of a relative who
the court finds suitable to receive and care for him with or without
supervision, upon such conditions as the court may prescribe;

(c) Place him in the temporary custody of a public agency or institution
authorized to care for children, the local juvenile probation department, the

1 local department of juvenile services or a private agency or institution
2 licensed by the department of human resources to care for such a child; or

3 (d) Commit him to the custody of the superintendent of the northern
4 Nevada children's home or the superintendent of the southern Nevada
5 children's home, in accordance with chapter 423 of NRS.

6 2. If, pursuant to subsection 1, a child is placed other than with a
7 parent, the parent retains the right to consent to adoption, to determine the
8 child's religious affiliation and to reasonable visitation, unless restricted by
9 the court. If the custodian of the child interferes with these rights, the
10 parent may petition the court for enforcement of his rights.

11 3. If, pursuant to subsection 1, the child is to be placed with a relative,
12 the court may consider, among other factors, whether the child has resided
13 with a particular relative for 3 years or more before the incident which
14 brought the child to the court's attention.

15 4. A copy of the report prepared for the court by the agency which
16 provides protective services must be sent to the custodian and the parent or
17 legal guardian.

18 5. In determining the placement of a child pursuant to this section, if
19 the child is not permitted to remain in the custody of his parents or
20 guardian, preference must be given to *placing the child:*

21 (a) *With* any person related within the third degree of consanguinity to
22 the child who is suitable and able to provide proper care and guidance for
23 the child, regardless of whether the relative resides within this state.

24 (b) *If practicable, together with his siblings.*

25 *Any search for a relative with whom to place a child pursuant to this*
26 *section must be completed within 1 year after the initial placement of the*
27 *child outside of his home.* If a child is placed with any person who resides
28 outside *of* this state, the placement must be in accordance with NRS
29 127.330.

30 **Sec. 18.** NRS 432B.590 is hereby amended to read as follows:

31 432B.590 1. Except as otherwise provided in NRS 432B.600, the
32 court shall hold a hearing concerning the permanent placement of ~~the~~
33 ~~child no~~ *a child not* later than 18 months after the most recent removal of
34 the child from his home and annually thereafter. Notice of this hearing
35 must be given by registered or certified mail to all *of the* parties ~~to~~ *to* the
36 dispositional proceeding, except a parent whose rights have been
37 terminated pursuant to chapter 128 of NRS or who has voluntarily
38 relinquished the child for adoption pursuant to NRS 127.040.

39 2. The court may require the presence of the child at the hearing.

40 3. At the hearing the court shall establish a plan for the permanent
41 placement of the child and determine whether:

42 (a) The child should be returned to his parents or other relatives;

1 (b) The child's placement in the foster home or other similar institution
2 should be continued; or

3 (c) ~~It is in~~ the best interests of the child ~~to initiate~~ proceedings
4 to:

5 (1) Terminate parental rights pursuant to chapter 128 of NRS so that
6 the child can be placed for adoption; or

7 (2) Establish a guardianship pursuant to chapter 159 of NRS . ~~It~~
8 ~~should be initiated.~~

9 *If the court determines that it is in the best interests of the child to*
10 *terminate parental rights, the court shall use its best efforts to ensure that*
11 *the procedures required by chapter 128 of NRS are completed within 6*
12 *months after the date the court makes that determination.*

13 4. If a child has been placed outside *of* his home and has resided
14 outside *of* his home pursuant to that placement for 18 months of any 24
15 consecutive months, the best interests of the child must be presumed to be
16 served by *the* termination of parental rights.

17 5. This hearing may take the place of the hearing for review required
18 by NRS 432B.580.

19 **Sec. 19.** As soon as practicable after July 1, 1999, the governor shall
20 appoint to the board created pursuant to section 9 of this act:

21 1. Two members to an initial term that expires on June 30, 2001.

22 2. Three members to an initial term that expires on June 30, 2003.

23 **Sec. 20.** 1. This section and sections 1 to 12, inclusive, and 14 to 19,
24 inclusive, of this act become effective on July 1, 1999.

25 2. Section 12 of this act expires by limitation on June 30, 2001.

26 3. Section 13 of this act becomes effective at 12:02 a.m. on July 1,
27 2001.